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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/699,101	10/30/2003	Richard Postrel	700-166RPA	5428
24002	7590	05/04/2006	EXAMINER	
ANTHONY R. BARKUME 20 GATEWAY LANE MANORVILLE, NY 11949			LASTRA, DANIEL	
			ART UNIT	PAPER NUMBER
			3622	

DATE MAILED: 05/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/699,101	POSTREL, RICHARD	
	Examiner	Art Unit	
	DANIEL LASTRA	3622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 41-44, 47, 49-72, 75, 77-90 and 92-96 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 41-44, 47, 49-72, 75, 77-90 and 92-96 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>08/15/05</u> . | 6) <input type="checkbox"/> Other: _____ |

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1. Claims 41-44, 47, 49-72, 75, 77-90 and 92-96 have been examined. Application 10/699,901 (SYSTEM AND METHOD FOR GENERATING DESTINATION SPECIFIC COUPONS FOR A TRAVELER) has a filing date 10/30/2003 is a continuation of 09658329 Which Claims Priority from Provisional Application 60153353 09/10/1999.

Response to Requirement for restriction

2. In response to Requirement for restriction filed 12/08/2005, the Applicant filed an Amendment on 02/13/2006, which cancels claims 45, 46, 48, 73, 74, 76 and 91.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 41-44, 47, 49, 50, 52-60, 62, 64-72, 75, 77, 78, 80-88, 90 and 92-96 are rejected under 35 U.S.C. 102(b) as being anticipated by Tagawa (US 5,732,398).

As per claim 41, Tagawa teaches:

A coupon generation and distribution system comprising:

(a) a plurality of member computers (see fig. 2a item 50) interconnected to a computer network (see column 8, lines 50-67), each of said member computers associated with at least one of a plurality of members of the system (see figure 2a) ; and

(b) a centrally located coupon server computer (see fig. 2a, item 50), interconnected to the computer network for selective communication with the plurality of member computers, the coupon server computer comprising:

(i) a repository of coupon offers available for generation into coupons for dissemination to a plurality of users, each of said coupon offers supplied to the coupon server computer by a coupon offering entity and providing an incentive to purchase an item (see column 4, lines 35-45; figures 15a, 15b);

(ii) means for storing a plurality of user profile data records, each of said user profile data records comprising user profile data comprising:

an identification of a user (see column 2, lines 50-60), and

at least one geographic location associated with the user (see column 5, lines 37-42);

(iii) means for analyzing a user profile data record with respect to a plurality of coupon offers in the repository and for analyzing a coupon offer with respect to a plurality of user-profile data records, and for generating one or more coupons based on said analysis, wherein said coupon is limited to use by the user identified in the user profile data record for items at the geographic location associated with the user (see column 4, lines 35-45; column 16, lines 20-67); and

(iv) means for distributing said generated coupon for use by the user in purchasing the item associated with the coupon at the geographic location associated with the user (see figures 15a and 15b).

As per claim 42, Tagawa teaches:

The system of claim 41 wherein the user profile data is obtained from at least one member computer (see column 2, lines 60-67).

As per claim 43, Tagawa teaches:

The system of claim 41 wherein the computer network is the Internet (see column 9, lines 35-40).

As per claim 44, Tagawa teaches:

The system of claim 41 wherein the computer network is a wireless network (see column 10, lines 10-16).

As per claim 47, Tagawa teaches:

The system of claim 41 wherein a member computer is an Internet-enabled computing device (see column 9, lines 35-40).

As per claim 49, Tagawa teaches:

The system of claim 41 wherein the means for distributing said generated coupon comprises means for transmitting said coupon to the user (see figures 15a and 15b).

As per claim 50, Tagawa teaches:

The system of claim 49 wherein the means for transmitting said coupon to the user comprises, means for electronically transmitting said coupon to a member computer (see column 9, lines 50-55).

As per claim 52, Tagawa teaches:

The system of claim 41 wherein the means for distributing said generated coupon comprises means for transmitting said coupon to a member computer

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associated with a merchant that will honor the generated coupon (see figure 15a and 15b).

As per claim 53, Tagawa teaches:

The system of claim 52 wherein the user specified by the coupon is provided with the incentive specified by the coupon during a transaction with the merchant (see figures 15a and 15b).

As per claim 54, Tagawa teaches:

The system of claim 41 wherein the means for distributing the generated coupon comprises means for printing the coupon and sending said printed coupon to the user (see column 9, lines 35-65).

As per claim 55, Tagawa teaches:

The system of claim 41 wherein the user profile data further comprises demographic information relating to the user (see column 2, lines 52-60).

As per claim 56, Tagawa teaches:

The system of claim 41 wherein the user profile data further comprises coupon requests provided by a user to the coupon server computer, and wherein the coupon requests are transmitted by the coupon server computer to a coupon offering entity for use in preparing subsequent coupon offers (see figure 2a "regional reservation centers").

As per claim 57, Tagawa teaches:

The system of claim 41 wherein the user profile data further comprises flight information regarding an airline flight to be taken by a user, and wherein said flight

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information is utilized by the coupon server computer to generate the coupon (see column 15, lines 25-50).

As per claim 58, Tagawa teaches:

The system of claim 41 wherein the user profile data further comprises travel itinerary information of a user and wherein said travel itinerary information is utilized by the coupon server computer to generate the coupon (see column 15, lines 25-50).

As per claim 59, Tagawa teaches:

The system of claim 41 wherein the coupon offers vary in accordance with the geographic location associated with the user (see column 16, lines 55-67).

As per claim 60, Tagawa teaches:

The system of claim 41 wherein the coupon offers comprise offer terms which are variable (see column 16, line 55 – column 17, line 36).

As per claim 62, Tagawa teaches:

The system of claim 41 wherein a member computer further comprises display means for displaying coupon data to the user, and wherein images of the coupons generated by the coupon server are transmitted to the member computer and displayed to a user via the display means (see column 5, lines 10-16).

As per claim 64, Tagawa teaches:

The system of claim 41 wherein the members are selected from the group consisting of a coupon offering company, a user, a travel agent, an airline, and a cruise line (see figure 9a).

As per claim 65, Tagawa teaches:

The system of claim 41 wherein the coupon offering entity specifies user match parameters to the coupon server for use in generating coupons from the user profile and coupon offers (see column 2, lines 35-67).

As per claim 66, Tagawa teaches:

The system of claim 41 wherein the coupon offers are modified by the coupon offering entity prior to generation of coupons by the coupon server (see column 2, lines 60-67).

As per claim 67, Tagawa teaches:

The system of claim 41 wherein the user profile further comprises information on a mode of travel by the user to the associated geographic location, and wherein the coupons generated by the coupon server relate to the mode of travel by the user (see figure 9a).

As per claim 68, Tagawa teaches:

The system of claim 41 wherein the user profile further comprises information on dates of travel by the user to the associated geographic location, and wherein the coupons generated by the coupon server are valid only during the dates of travel by the user (see figure 15a "valid until 1/31/96").

Claims 69-72, 75, 77, 78, 80-88, 90 and 92-96 are written as method claims but contain the same limitations as claims 41-44, 47, 49, 50, 52-60, 62 and 64-68, therefore, the same rejection is applied.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 51 and 79 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tagawa (US 5,732,398).

As per claims 51 and 79, Tagawa teaches:

The system of claim 50 but fails to teach wherein the means, for electronically transmitting said coupon to a member computer comprises means for sending an email message to a member computer, said email message comprising said coupon in a format suitable for printing at a printer associated with the member computer. However, Official Notice is taken that it is old and well known in the computer art to transmit email messages via the Internet. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that Tagawa would transmit emails messages to users that are connected to his network as said network connection is done via the Internet (see Tagawa column 9, lines 36-40).

5. Claims 61, 63 and 89 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tagawa (US 5,732,398) in view of Barnett (US 6,321,208).

As per claims 61 and 89, Tagawa teaches:

The system of claim 60 but fails to teach wherein the offer terms vary in accordance with the frequency of redemption of said offers. However, Barnett teaches a system that varies the coupons' term offers that are downloaded to users' computers based upon the frequency of redemption of said offers (see Barnett column 13, lines 25-35). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that Tagawa would target offers to users based upon said users' redemption profile, as taught by Barnett. Tagawa would be motivated to vary the coupons' term offers based upon said coupons previous redemption profile in order to provide bigger incentives to users of a competitive brand.

As per claim 63, Tagawa teaches:

The system of claim 62 but fails to teach wherein the user inputs, via the member computer input means, selections of said displayed coupon images, and wherein said coupon server generates a subset of said plurality of coupons based on the coupon image selections made by the member. However, Barnett teaches a system that allows users to select a subset of coupons' offers (see Barnett column 9, lines 59-67). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that Tagawa would allow users to select a subset of coupons' offers and print said offers in said users' computers, as taught by Barnett. Tagawa would be motivated to allow users to select a subset of offers in order to allow users to store said offers for further processing.

Conclusion


6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL LASTRA whose telephone number is 571-272-6720 and fax 571-273-6720. The examiner can normally be reached on 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, ERIC W. STAMBER can be reached on 571-272-6724. The official Fax number is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DL

Daniel Lastra
April 23, 2006


RETTA YEHDEGA
PRIMARY EXAMINER